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FISH & RICHARDSON P.C.
P.O. Box 1022
MINNEAPOLIS, MN 55440-1022

EXAMINER	
YUAN, ALMARI ROMERO	

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BEFORE THE BOARD OF PATENT APPEALS AND INTERFERENCES

Application Number: 09/456,888
Filing Date: December 07, 1999
Appellant(s): ROY ET AL.

Subroto Bose
For Appellant

EXAMINER'S ANSWER

This is in response to the appeal brief filed October 26, 2004.

(1) Real Party in Interest

A statement identifying the real party in interest is contained in the brief.

(2) Related Appeals and Interferences

A statement identifying the related appeals and interferences which will directly affect or be directly affected by or have a bearing on the decision in the pending appeal is contained in the brief.

(3) Status of Claims

The statement of the status of the claims contained in the brief is correct.

(4) Status of Amendments After Final

The appellant's statement of the status of amendments after final rejection contained in the brief is correct.

(5) Summary of Invention

The summary of invention contained in the brief is correct.

(6) Issues

The appellant's statement of the issues in the brief is correct.

(7) Claims Appealed

The copy of the appealed claims contained in the Appendix to the brief is correct.

(8) Prior Art of Record

5,845,084	*CORDELL et al.*	*12-1998*
6,347,323 B1	*GARBER et al.*	*02-2002*

(9) Grounds of Rejection

The following ground(s) of rejection are applicable to the appealed claims:

Claims 1-10, 12-15, 18, 22-25, 27-29, and 31-48 are rejected under 35 U.S.C. 103(a) as being unpatentable over Cordell et al. (USPN 5, 845,084 – issued 12/1998) in view of Garber et al. (USPN 6,347,323 B1 – filed 03/1999).

Regarding independent claims 1, 27, 31 and (dependent claims 2, 6, 23, 25, 29, 33-34, 38-39, and 47), Cordell discloses:

A method, computer readable medium, and system for generating a document, comprising:

inserting one or more placeholders in the document, each placeholder having representative content, the representative content having associated formatting information (Cordell on col. 7, lines 55-65 and col. 8, lines 47-54, see Figure 5C item 98 teaches a placeholder mode for adding placeholders on the web page; wherein each placeholder is represented as an icon or image of a globe containing displaying attributes such as height, width, and image characteristics until the corresponding embedded graphical image is rendered);

binding each placeholder to a content source (Cordell shows on Figures 5C item 98 and Figure 6 item 110 how the placeholder 98 corresponds to image 110);

presenting the placeholders, including presenting the representative content of the placeholders according to the associated formatting information (Cordell shows on Figure 5C placeholder 98 of know height, width, and image characteristics is displayed with a representing icon (also see col. 7, lines 55-65)),

the representative content of a placeholder being replaceable in a presentation mode by content generated based on the content source bound to the placeholder (Cordell on col. 8, lines 47-67, see Figures 5C and 6 teaches the icon of the placeholder 98 (Fig 5C) is replaced with its corresponding embedded graphical image 110 (Fig 6)).

However, Cordell does not explicitly disclose "compiling the placeholders into code to generate content for the document based on the content source" and "the generated content being presented in the presentation mode according to the formatting information to the corresponding representative content".

Garber discloses "compiling the placeholders into code to generate content for the document based on the content source" on col. 7, lines 11-36 and col. 10, lines 4-10 teaches browsers determine the layout of the page represented with structural tags and determines the visual objects or pictures represented with object tags (placeholders for objects). Garber also discloses "the generated content being presented in the presentation mode according to the formatting information to the corresponding representative content" on col. 7, lines 11-36 and see Abstract teaches preserving formatting and attributes of objects (content) in an HTML document when opened in an HTML editor (WYSIWYG type on col. 1, lines 51-58 as the

presentation mode). Garber also teaches on col. 7, lines 11-36 the creation of an HTML document is done using a text editor comprising attributes of the text and objects and preserving the attributes with opened in a HTML editor or browser.

It would have been obvious to a person of ordinary skill in the art at the time the invention was made to have modified Garber into Cordell to provide HTML tags defining the structural layout of a page and object tags for representing visual objects or pictures; wherein the attributes of the objects are preserved with displayed in an HTML editor, as taught by Garber, incorporated into data display formatting system of Cordell, in order to provide a complete solution to preserving formatting, layout, and attributes of objects in a document within different environments or systems.

Regarding dependent claims 3 and 41, Cordell discloses:

annotating the placeholders (Cordell in Figure 5C shows text "CD-store" describing placeholder 98).

Regarding dependent claims 4 and 42, Cordell discloses:

retrieve content and presenting the retrieved content (Cordell on col. 8, lines 47-67, see Figures 5C and 6 teaches placeholder 98 (Fig 5C) is replaced with the retrieved corresponding graphical image 110 (Fig 6)).

Regarding dependent claims 5, 18, 43, and 46, Cordell discloses:

rendering the page based on the content (Cordell on col. 8, lines 47-67, see Figure 6 teaches displaying embedded graphical image 110).

Regarding dependent claims 7 and 44, Garber discloses:

embedding the code as attributes in the placeholder (Garber on col. 9, lines 1-11 and col. 14, lines 59-65 teaches substring code can be whitespace attributes which corresponds to elements in the document).

It would have been obvious to a person of ordinary skill in the art at the time the invention was made to have modified Garber into Cordell to provide HTML tags defining the structural layout of a page and object tags for representing visual objects or pictures; wherein the attributes of the objects are preserved with displayed in an HTML editor, as taught by Garber, incorporated into data display formatting system of Cordell, in order to provide a complete solution to preserving formatting, layout, and attributes of objects in a document within different environments or systems.

Regarding dependent claim 8, Garber discloses:

wherein the placeholder is a mark-up element (Garber on col. 7, lines 11-36 and col. 10, lines 4-10 teaches HTML tags (placeholders) as HTML elements).

It would have been obvious to a person of ordinary skill in the art at the time the invention was made to have modified Garber into Cordell to provide HTML tags defining the structural layout of a page and object tags for representing visual objects or pictures; wherein the attributes of the objects are preserved with displayed in an HTML editor, as taught by Garber, incorporated into data display formatting system of Cordell, in order to provide a complete solution to preserving formatting, layout, and attributes of objects in a document within different environments or systems.

Regarding dependent claims 9 and 10, Garber discloses:

wherein the mark-up element is an HTML element or an XML element (Garber on col. 1, lines 58-61 teaches HTML and XML mark up language).

It would have been obvious to a person of ordinary skill in the art at the time the invention was made to have modified Garber into Cordell to provide HTML tags defining the structural layout of a page and object tags for representing visual objects or pictures; wherein the attributes of the objects are preserved with displayed in an HTML editor, as taught by Garber, incorporated into data display formatting system of Cordell, in order to provide a complete solution to preserving formatting, layout, and attributes of objects in a document within different environments or systems.

Regarding dependent claims 12, 36, and 45, Garber discloses:

using the formatting, styling, or layout of the representative content of the placeholder to format, style, or layout the content (Garber on col. 5, lines 37-47 teaches preserving formatting, layout, and attributes in a document).

It would have been obvious to a person of ordinary skill in the art at the time the invention was made to have modified Garber into Cordell to provide HTML tags defining the structural layout of a page and object tags for representing visual objects or pictures; wherein the attributes of the objects are preserved with displayed in an HTML editor, as taught by Garber, incorporated into data display formatting system of Cordell, in order to provide a complete solution to preserving formatting, layout, and attributes of objects in a document within different environments or systems.

Regarding dependent claims 13-15, and 28, Cordell discloses:

interpreting the placeholders including reading the annotation that describes the content to replace the placeholder (Cordell in Figure 5C shows text "CD-store" describing placeholder 98 and in Figure 6 shows an image of a CD replacing the placeholder 98 in figure 5C).

Regarding dependent claim 22, Garber discloses:

storing metadata for the placeholder as a comment field in the document (Garber on col. 7, lines 20-23 teaches HTML elements (placeholders) can be comprised with comments)).

It would have been obvious to a person of ordinary skill in the art at the time the invention was made to have modified Garber into Cordell to provide HTML tags defining the structural layout of a page and object tags for representing visual objects or pictures; wherein the attributes of the objects are preserved with displayed in an HTML editor, as taught by Garber, incorporated into data display formatting system of Cordell, in order to provide a complete solution to preserving formatting, layout, and attributes of objects in a document within different environments or systems.

Regarding dependent claim 24, Cordell discloses:

updating a markup language document during run-time based on an original layout and content generated on-the-fly (Cordell see Abstract teaches when embedded graphical image is received, the placeholder image is removed, and the display device is reformatted to display the embedded graphical image).

Regarding dependent claims 32, 35, 37, 40, and 48, Garber discloses:

in the edit mode, modifying the associated formatting information for the placeholders and redisplaying the representative content of the placeholders (Garber also teaches on col. 7, lines 11-36 the creation of an HTML document is done using a text editor comprising attributes

of the text and objects and preserving the attributes with opened in a HTML editor; wherein within the HTML editor the HTML document can be modified).

It would have been obvious to a person of ordinary skill in the art at the time the invention was made to have modified Garber into Cordell to provide HTML tags defining the structural layout of a page and object tags for representing visual objects or pictures; wherein the attributes of the objects are preserved with displayed in an HTML editor, as taught by Garber, incorporated into data display formatting system of Cordell, in order to provide a complete solution to preserving formatting, layout, and attributes of objects in a document within different environments or systems.

(10) Response to Argument

Regarding Appellant's remarks on page 5, 2nd paragraph:

(A)(i) Cordell does not teach inserting placeholders in a document.

The Examiner respectfully disagrees. Cordell teaches a placeholder is temporarily displayed 84 instead of the embedded graphical image being received (col. 7, lines 56-57, see Figure 5C, items 98, 102). Further, based on the Examiner's knowledge in the art, it known in the art that images such as placeholders can be inserted in a document by the browser when the document is being rendered (also see col. 5, lines 46-48).

Regarding Appellant's remarks on page 5, 3rd paragraph – page 6, 1st paragraph:

(A)(ii) Cordell does not teach placeholders that have representative content.

The Examiner respectfully disagrees. Cordell teaches each placeholder corresponds to an embedded graphical image that is to be rendered in the document (on col. 7, lines 55-65 and col. 8, lines 47-54).

In response to Appellant's remarks on page 5, last paragraph – page 6, 1st line:

Appellant defines the formatting information of the representative content as setting font and style attributes for text; height and width for images; and borders, height, width, and cell spacing for tables. However, this language is not disclosed in Appellant's claimed invention.

The Examiner has interpreted the "formatting information" as the position of where the representative content will be rendered. Cordell teaches replacing placeholders with corresponding graphical images at the position defined by the HTML statement when being rendered. Further, Cordell on col. 9, lines 1-22 and as shown in Figure 5C, item 98 is being replaced with graphical image 110 in Figure 6 at the same position (wherein "position" can be the formatting information).

Regarding Appellant's remarks on page 6, 2nd paragraph – page 7, 1st paragraph:

(A)(iii) Neither Cordell nor Garber teaches generating content for the placeholders based on the content source bound to the placeholder.

The Examiner respectfully disagrees. Cordell teaches and shows the placeholder is replaced with its corresponding embedded graphical image; the graphical image is bound to the

placeholder and can be generated with the document is being rendered or reformatted (col. 8, lines 47-67 and col. 9, lines 1-17, see Figure 5C, item 98 and Figure 6, item 110).

Further, Garber teaches the browser determines the layout of the page represented with structural tags and determines the visual objects or pictures represented with object tags (on col. 7, lines 11-36 and col. 10, lines 4-10). Garber's HTML tags are used for layout and specifies how the text and other object in an HTML document will appear, in other words, when the HTML document is being rendered, the HTML tags are replaced with text or visual objects (col. 7, lines 24-28). Therefore, the visual object (content) can be generated when being displayed and can be associated (bound) and replaced with its corresponding HTML tag.

Regarding Appellant's remarks on page 7, 2nd paragraph:

(A)(iv) Neither Cordell nor Garber teach presenting the placeholder using either the representative content or the generated content, where both the representative content and the generated content are presented according to the formatting information associated with the representative content.

The Examiner respectfully disagrees. Cordell does teach and show presenting the placeholder using the representative content or the generated content according to the formatting information. Cordell in Figure 5C shows the placeholder 98 represented with a global image that can be replaced with the graphical image 110 as shown in Figure 6.

Further, Cordell teaches the position (formatting information) of the embedded graphical image is defined at least by the location of the HTML statement referencing the embedded image (col. 1, lines 62-65 and col. 6, lines 55-57); wherein the placeholder can be rendered in the

location where the embedded graphical image or other data is to be rendered (see col. 5, lines 46-48).

Regarding Appellant's remarks on page 7, 3rd paragraph – page 8, 2nd paragraph; on page 9, 2nd paragraph; on page 10, 2nd paragraph; on page 11, 2nd paragraph:

(A)(v), (B)(iii), (C)(iii), (D)(iii) The Examiner has not met the basic criteria required to establish a *prima facie* case of obviousness.

The Examiner respectfully disagrees. In response to Appellant's argument that there is no suggestion to combine the references, the examiner recognizes that obviousness can only be established by combining or modifying the teachings of the prior art to produce the claimed invention where there is some teaching, suggestion, or motivation to do so found either in the references themselves or in the knowledge generally available to one of ordinary skill in the art. See *In re Fine*, 837 F.2d 1071, 5 USPQ2d 1596 (Fed. Cir. 1988)and *In re Jones*, 958 F.2d 347, 21 USPQ2d 1941 (Fed. Cir. 1992). In this case, The Examiner has used the teachings of the data display formatting system of Cordell in combination with the HTML formatting system of Garber, to demonstrate a *prima facie* case of obviousness with respect to the claimed invention.

Regarding Appellant's remarks on page 8, last paragraph – page 9, 1st paragraph:

(B)(ii) Cordell or Garber do not disclose obtaining placeholder content from a database.

The Examiner respectfully disagrees. Cordell receives data from the remote server computer 58 (col. 6, lines 10-16, col. 9, lines 25-29) to replace the placeholder shown in Figure 5C.

Regarding Appellant's remarks on page 9, last paragraph – page 10, 1st paragraph:

(C)(ii) Cordell or Garber do not disclose presenting in place of the placeholder generated content that is formatted according to the corresponding representative content.

The Examiner respectfully disagrees. Cordell in Figure 5C shows the placeholder 98 represented with a global image that can be replaced with the graphical image 110 as shown in Figure 6 at the same position as shown in Figure 5C, item 98. Further, Cordell teaches the position (formatting information) of the embedded graphical image is defined at least by the location of the HTML statement referencing the embedded image (col. 1, lines 62-65 and col. 6, lines 55-57); wherein the placeholder can be rendered in the location where the embedded graphical image or other data is to be rendered (see col. 5, lines 46-48).

Furthermore, Garber teaches preserving formatting, layout, and attributes in a document within different environments or system; the formatting and attributes of the objects are preserved when opened (col. 1, lines 6-11). The object in an HTML document can be viewed with its defined formatting information using a browser (col. 7, lines 20-34).

Regarding Appellant's remarks on page 11, 1st paragraph:

(D)(ii) Cordell or Garber do not disclose an edit mode where the generated content of the placeholder is replaced by the representative content.

The Examiner respectfully disagrees. Cordell teaches placeholder can be replaced with an embedded graphical image and also teaches switching between normal and placeholder display modes to allow the user to attempt to view a selected portion of data (col. 9, lines 1-36).

Further, Garber teaches an HTML editor (see Abstract) and teaches the HTML tags are used to specify how the text and objects in an HTML document are to appear (i.e. in their defined format) in a web page when viewed in a browser (col. 7, lines 11-36). The HTML tag specifies the layout of the HTML document to facilitate the placing of text and objects in its corresponding defined position when rendered as a web page.

For the above reasons, it is believed that the rejections should be sustained.

Respectfully submitted,

JOSEPH FEILD
SUPERVISORY PATENT EXAMINER

Almari Yuan
April 18, 2005

Conferees

Joseph Feild
SPE, Art Unit 2176

Stephen Hong,
SPE, Art Unit 2178

FISH & RICHARDSON P.C.
500 ARGUELLO STREET
SUITE 500
REDWOOD CITY, CA 94063